



WISCONSIN REGULATORY DIGEST

A Publication of the
Volume 11, No. 1 **OPTOMETRY EXAMINING BOARD** **APRIL, 1999**

New Caregiver Law 1997 WI Act 27. (Biennial Budget)

On October 1, 1998, a new Wisconsin law went into effect which provides new and stringent checks of the backgrounds of persons who provide care for others or have access to persons receiving care.

Beginning on October 1, 1998, the state of Wisconsin mandated that background checks will be required for all persons who seek to be employed in the caregiving industry and for all persons who want to obtain or renew a license to provide care. By October 1, 1999, all existing employees/contractors and license holders must have fulfilled the caregiver background check requirements.

A completed background check as prescribed under Wisconsin's law includes:

A completed self-disclosure Background Information Disclosure form;

An electronic status check of professional licenses and credentials through the Department of Regulation and Licensing;

An electronic criminal history search from the Wisconsin Department of Justice;

An electronic review of records kept by the Department of Health and Family Services for any substantiated findings of abuse or neglect and license restrictions or denials.

Based on the information obtained, additional research may include an out-of-state criminal history search, a tribal court criminal history search, a check of relevant military records or a check of county or other local records.

Once the background research is complete, employers and government agencies are expected to act according to the requirements of the new law coupled with prudent business practices. These new background checks will be used by the state in making employment and licensing decisions since various studies have shown predictable patterns of abuse, neglect and misappropriation. Therefore, a background which includes specific crimes and offenses will effectively exclude individuals from certain employment or prohibit them from obtaining a license to practice certain professions.

Those who wish to obtain more detailed information regarding the new law may do so through accessing the following web site: "www.dhfs.state.wi.us" and click on "News & Initiatives."

"Background Check", Who? Me?

Under a new care giver law that went into effect October 1, 1998, Optometrists may be subject to a background check. If you are contracted to provide eyecare services in environments such as child day care facilities, hospitals, or nursing homes, the administrators of these facilities are required to obtain a background check as part of your employment eligibility history. These background checks include: A signed Background Information Disclosure form (to be completed every 4 years); electronic checks of your criminal history, licensing status, and credential status, through the Wisconsin Departments of Justice, Health and Family Services, and Regulation and Licensing respectively. Additional information may be obtained regarding criminal history from other states, discharge information from the military, additional information from local clerks of courts, and information from Tribal Courts. The purpose of this law is to protect Wisconsin children and adults who are in environments that may put them at higher risk of abuse. So, if you provide eye exams in a nursing home, please do not be alarmed or offended when you are asked within the next year to complete a self disclosure Background Information Disclosure Form, the facility is just complying with state law.

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Press 1, then 4 **Application Requests for License & Continuing Education**

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Quick Keys

The following voice mail “**short cuts**” could be sent out with renewal notices and/or otherwise published:

To request a license application for your profession, just dial (608) 266-0145, then enter the Quick Keys number below for the profession you want:

Optometry	1-6
Application, Examination or Endorsement	1-6-1
Continuing Education Information/Application	1-6-2
Optometry DPA or TPA	1-6-3

1999 Meeting Dates

May 7, June 18, July 23, August 27, October 15, December 3.

Verifications

All requests for verification of license status must be in writing. There is no charge for this service.

Endorsements

Requests for endorsements to other states must be in writing. The cost is \$10. Please make check or money order payable to the Department of Regulation and Licensing.

Visit the Department's Web Site

<http://badger.state.wi.us/agencies/drl/>

Send comments to dorl@mail.state.wi.us

Wisconsin Statutes and Code

Copies of the Optometry Statutes and Administrative Code can be ordered through the Board Office. Include your name, address, county and a check payable to the Department of Regulation and Licensing in the amount of \$5.28. The latest edition is dated December, 1998.

Change of Name or Address?

Please photocopy the mailing label of this digest, make changes in name or address, and return it to the Department. Confirmation of changes are not automatically provided.

WIS. STATS. S. 440.11 ALLOWS FOR A \$50 PENALTY TO BE IMPOSED WHEN CHANGES ARE NOT REPORTED WITHIN 30 DAYS.

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